

Country	Entity	License requirement	License review policy	FEDERAL REGISTER citation
	MCES, London, United Kingdom	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	73 FR 74001, 12/5/08.
	Myra Gkizi, 38, Princes Court—88 Brompton Road, Knightsbridge, London, SW3 1ES, United Kingdom	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	76 FR 50410, 8/15/11.
	Nelford United Corp, P.O. Box 3321, Road Town, Tortola, British Virgin Islands.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	77 FR 61256, 10/9/2012.
	Niki Panteli Kyriakou, 38, Princes Court—88 Brompton Road, Knightsbridge, London, SW3 1ES, United Kingdom (See alternate address under Cyprus)	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	76 FR 50410, 8/15/11.
	Oystercrredit Ltd Ogb, OMC Chambers, Wickhams Cay 1, Road Town, Tortola, British Virgin Islands.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	77 FR 61256, 10/9/2012.
	Profin Estates, Inc., Palm Chambers 5, Suite 120, The Lake Building, Wickhams Cay 1, P.O. Box 3175, Road Town, Tortola, British Virgin Islands	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	77 FR 61256, 10/9/2012.
	Sergei (Sergi) Ivanovich Tomchani, a.k.a., Sergey Ivanovich Tomchani, 38, Princes Court—88 Brompton Road, Knightsbridge, London, SW3 1ES, United Kingdom; and Enterprise House 113/115 George Lane, London, E18 1AB, United Kingdom (See alternate addresses under Greece and Ukraine)	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	76 FR 50410, 8/15/11.
	Unimont S.A., Drake Chambers, P.O. Box 3321, Road Town, Tortola, British Virgin Islands.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	77 FR 61256, 10/9/2012.
	Voltero Alliance LLP, 45–51 Newhall Street 330, Birmingham, West Midlands, B3 3RB, United Kingdom.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	77 FR 61256, 10/9/2012.

[63 FR 64325, Nov. 19, 1998]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting supplement no. 4 to part 744, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

SUPPLEMENT NO. 5 TO PART 744—PROCEDURES FOR END-USER REVIEW COMMITTEE ENTITY LIST DECISIONS

The End-User Review Committee (ERC), composed of representatives of the Departments of Commerce, State, Defense, Energy and, where appropriate, the Treasury, will make all decisions to make additions to, removals from or changes to the Entity List. The ERC will be chaired by the Department of Commerce and will make all decisions to add an entry to the Entity List by majority vote and all decisions to remove or modify an entry by unanimous vote.

When determining to add an entity to the Entity List or to modify an existing entry,

the ERC will also specify the section or sections of the EAR that provide the basis for that determination. In addition, if the section or sections that form the basis for an addition or modification do not specify the license requirements, the license application review policy or the availability of license exceptions, the ERC will specify the license requirements, the license application review policy and which license exceptions (if any) will be available for shipments to that entity.

Any agency that participates in the ERC may make a proposal for an addition to, modification of or removal of an entry from the Entity List by submitting that proposal to the chairman.

The ERC will vote on each proposal no later than 30 days after the chairman first circulates it to all member agencies unless the ERC unanimously agrees to postpone the vote. If a member agency is not satisfied with the outcome of the vote of the ERC that agency may escalate the matter to the Advisory Committee on Export Policy (ACEP). A member agency that is not satisfied with the decision of the ACEP may escalate the matter to the Export Administration Review Board (EARB). An agency that is not satisfied with the decision of the EARB may escalate the matter to the President.

The composition of the ACEP and EARB as well as the procedures and time frames shall be the same as those specified in Executive Order 12981 as amended by Executive Orders 13020, 13026 and 13117 for license applications. If at any stage, a decision by majority vote is not obtained by the prescribed deadline the matter shall be raised to the next level.

A final decision by the ERC (or the ACEP or EARB or the President, as may be applicable in a particular case) to make an addition to, modification of, or removal of an entry from the Entity List shall operate as clearance by all member agencies to publish the addition, modification or removal as an amendment to the Entity List even if, in the case of a decision by the ERC to add an entry or any decision by the ACEP or EARB, such decision is not unanimous. Such amendments will not be further reviewed through the regular Export Administration Regulations interagency review process.

A proposal by the ERC to make any change to the EAR other than an addition to, modification of, or removal of an entry from the Entity List shall operate as a recommendation and shall not be treated as interagency clearance of an EAR amendment. The chairman of the ERC will be responsible for circulating to all member agencies proposals submitted to him by any member agency. The chairman will be responsible for serving as secretary to the ACEP and EARB for all review of ERC matters. The chairman will communicate all final decisions that require Entity List amendments or individual "is informed" letters, to the Bureau of Industry and Security which shall be responsible for drafting the necessary changes to the Entity List. If the ERC decides in a particular case that a party should be informed individually instead of by EAR amendment the chairman will be responsible for preparing the "is informed" letter for the signature of the Deputy Assistant Secretary for Export Administration.

A listed entity may present a request to remove or modify its Entity List entry along with supporting information to the chairman at Room 3886, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230. The chairman shall refer all such requests and supporting information

to all member agencies. The member agencies will review and vote on all such requests. The time frames, procedures and right of escalation by a member agency that is dissatisfied with the results that apply to proposals made by a member agency shall apply to these requests. The decision of the ERC (or the ACEP or EARB or the President, as may be applicable in a particular case) shall be the final agency decision on the request and shall not be appealable under part 756 of the EAR. The chairman will prepare the response to the party who made the request. The response will state the decision on the request and the fact that the response is the final agency decision on the request. The response will be signed by the Deputy Assistant Secretary for Export Administration.

The End-User Review Committee will conduct a review of the entire Entity List at least once per year for the purpose of determining whether any listed entities should be removed or modified. The review will include analysis of whether the criteria for listing the entity are still applicable and research to determine whether the name(s) and address(es) of each entity are accurate and complete and whether any affiliates of each listed entity should be added or removed.

[73 FR 49322, Aug. 21, 2008]

PART 745—CHEMICAL WEAPONS CONVENTION REQUIREMENTS

Sec.

745.1 Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties.

745.2 End-Use Certificate reporting requirements under the Chemical Weapons Convention.

SUPPLEMENT NO. 1 TO PART 745—SCHEDULES OF CHEMICALS

SUPPLEMENT NO. 2 TO PART 745—STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING, AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION

SUPPLEMENT NO. 3 TO PART 745—FOREIGN GOVERNMENT AGENCIES RESPONSIBLE FOR ISSUING END-USE CERTIFICATES PURSUANT TO § 745.2

AUTHORITY: 50 U.S.C. 1701 *et seq.*; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; Notice of November 9, 2011, 76 FR 70319 (November 10, 2011).

SOURCE: 64 FR 27143, May 18, 1999, unless otherwise noted.